

SENATE BILL 2884
By Haynes

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 11, Part 2, relative to wheeled mobility
devices.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-11-201, is amended by inserting
the following language as a new definition to be appropriately designated:

() "Consumer" means an individual for whom a wheeled mobility device,
manual or power wheelchair, or power operated vehicle has been prescribed by a
physician and required for use for a period of six (6) months or more, to a consumer
who:

(A) Is less than twenty-one (21) years of age;

(B) Has a diagnosis which results from childhood or adult onset injury or
trauma;

(C) Has a diagnosis which is progressive or degenerative in nature;

(D) Has a diagnosis which is neuromuscular in nature;

(E) Requires seated positioning components; or

(F) Has a pathology that indicates a need for other assistive technology
such as speech generating devices or environmental controls.

SECTION 2. Tennessee Code Annotated, Section 68-11-201(41), is amended by
deleting the subdivision in its entirety, and by substituting instead the following language:

(41) "Wheeled mobility device" means a power or manual mobility system
including:

(A) Seated positioning components;

- (B) Powered or manual seating options;
- (C) Electronic drive control;
- (D) Specialty driving controls;
- (E) Multi-adjustment frame;
- (F) Non-standard performance options; or
- (G) Other complex or specialized components.

SECTION 3. Tennessee Code Annotated, Section 68-11-226(d)(3), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

(3) Starting January 1, 2007, home care organizations providing prescribed wheeled mobility devices shall obtain a complete face-to-face written evaluation and recommendation by a credentialed wheeled mobility person, who shall be, at a minimum, a health care professional licensed under title 63 or a person who has appropriately obtained the designation of ATP or ATS, for consumers of prescribed wheeled mobility devices.

SECTION 4. Tennessee Code Annotated, Section 68-11-226(d), is amended by adding the following language as new subdivisions as follows:

(4) On and after January 1, 2007, a one-hundred eighty (180) day grace period shall be provided to organizations that provide prescribed wheeled mobility devices if the credentialed wheeled mobility person on staff ceases to be employed and the organization has no other credentialed wheeled mobility person on staff. During the grace period, 2004 credentialed wheeled mobility person standards shall apply.

(5) On and after January 1, 2007, all organizations making available prescribed wheeled mobility devices to consumers in the state of Tennessee shall have a repair service department on the premises open during regular business hours.

SECTION 5. This act shall take effect January 1, 2007, the public welfare requiring it.

